

— VIA FACSIMILE —

PATENT APPLICATION
Docket No. 11502/33

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Blatter

Serial No.: 10/706,245

Filed: November 12, 2003

Title: STAPLE AND ANVIL ANASTOMOSIS SYSTEM

Examiner: Julian W. Woo

Customer No.: 32642

Art Unit
3731INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

TO THE COMMISSIONER FOR PATENTS:

1. Pursuant to the duty of disclosure, documents listed on the accompanying Form PTO-1449 (or equivalent) are presented for the Examiner's consideration.

- ☐ Copies of listed documents are enclosed. (37 CFR § 1.98(a))
- ☒ Copies of listed U.S. patent documents are omitted because this application was filed after June 30, 2003 and is, thus, subject to image file wrapper processing. Copies of listed foreign patent documents and non-patent literature are enclosed.
- ☐ Copies of listed foreign patent documents and/or non-patent literature are enclosed. (37 C.F.R. § 1.98(a)(2))
- ☐ Copies of the documents listed on sheet(s) _____ of Form PTO-1449 (or equivalent) are omitted because (1) they are already of record in U.S. Patent Application No. _____, filed _____, on which this application relies for an earlier filing date under 35 U.S.C. § 120; and (2) any information disclosure statement filed in the prosecution of Application No. _____, complies with 37 CFR §§ 1.98(a) through (c). (37 C.F.R. § 1.98(d))

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2. ☐ The Examiner's attention is directed to the enclosed copy of copending U.S. Patent Application No. _____, filed _____, for _____, which is cited in this application.
3. This information disclosure statement is being submitted (check box a., b., or c.):
- a. ☒ Within three months of the filing date of a national application or entry of the national stage in an international application; or before the mailing of a first Office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114. (No statement under 37 CFR 1.97(e) is required.); or
- b. ☐ After the period set forth in paragraph 3a, but before the mailing date of either a final action, a notice of allowance, or an action that otherwise closes prosecution in the application. (Check box i. or ii.)
- i. ☐ A \$180.00 information disclosure statement submission fee set forth in 37 CFR 1.17(p) is enclosed, or
- ii. ☐ A statement specified by 37 CFR 1.97(e) is set forth below; or
- c. ☐ After the mailing date of a final action or notice of allowance and on or before payment of the issue fee. A statement specified by 37 CFR 1.97(e) is set forth below. Enclosed is a \$180.00 information disclosure statement processing fee set forth in 37 CFR 1.17(p).
4. If a statement specified by 37 CFR 1.97(e) is required, the attorney or agent signing below hereby states that:
- ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement.

5. ☐ A concise explanation of the relevance of each document not in the English language and/or selected documents in the English language is included.

DATED this 27TH day of MARCH, 2006.

Respectfully submitted,


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INFORMATION DISCLOSURE CITATION

FORM PTO-1449 (REV. 7-80)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 11502/33		APPLICATION NO. 10/706,245	
TITLE: STAPLE AND ANVIL ANASTOMOSIS SYSTEM CUSTOMER NO.: 32642				APPLICANT - Blatter			
				FILING DATE- November 12, 2003		GROUP- Not Assigned	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1	5,993,468	11/30/1999	Rygaard	606	151	09/17/1998
	2	5,330,486	07/19,1994	Wilk	606	139	11/25/1992
	3	4,319,576	03/16/1982	Rothfuss	128	305	02/26/1980
EXAMINER					DATE CONSIDERED		
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

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